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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,732	05/11/2001	David L. Huie	9326.001.00	4996

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT PAPER NUMBER

2642

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,732

Applicant(s)

HUIE, DAVID L.

Examiner

Thjuan P Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 22 is objected to because of the following informalities: Claim 22 is a duplicate of claim 21. Claim 22 needs to be properly amended or cancelled.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertacchi (US 5,790,638).

4. In regards to claims 1, 5, 11, 17, 20, 21, 22, 24, 25, 28, and 35, Bertacchi discloses a call processing method for determining that a call has been call forwarded comprising: sending an initial address message having a redirection counter (counter 80) set to a maximum allowed value; receiving a message in response to the initial message; and analyzing the response message to determine if the call has been forwarded (col. 2-3 lines 62-3, col. 6 lines 47-67, and col. 8 lines 21-39).

5. In regards to claims 2, 3, 32, and 33, Bertacchi discloses the call processing method, further comprising initiating fraud prevention activity (col. 2-3 lines 62-3).

6. In regards to claims 4 and 34, Bertacchi discloses the call processing method, further comprising accessing a database (data base 20) to obtain information indicative

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of whether the call represents unauthorized use of a communications network (col. 3 lines 51-64 and col. 4 lines 39-45).

7. In regards to claims 6, 7, 12, 13, 15, 16, 18, 19, 23, 26, 27, 29, 30, and 31, Bertacchi discloses a call processing method for determining that a call has been call forwarded comprising: sending a first initial address message having a redirection counter set to a maximum allowed value; receiving a response message in response to the initial address message; analyzing the response message to determine if the call has been forwarded (col. 2-3 lines 62-3, col. 6 lines 47-67, and col. 8 lines 21-39); and sending a second initial address message having a redirection counter set to a second predetermined value, wherein the sending of the second message is performed if it is undetermined whether the call has been forwarded as a result of the analyzing step (col. 7-8 lines 61-8).

8. In regards to claims 8, 9, and 10, Bertacchi discloses the method of processing a call, comprising: determining whether the call is a forwarded call; responsive to a determination that the call is a forwarded call, preventing the call from being completed; and initiating fraud prevention activity (col. 7 lines 26-40).

9. In regards to claim 14, Bertacchi discloses the method of processing a call, comprising: determining whether a call is forwarded call; and responsive to a determination that the call is a forwarded, initiating fraud prevention activity in connection with processing the call (col. 2-3 lines 62-3 and col. 7 lines 26-40), wherein initiating fraud prevention activity comprises accessing a database to obtain information

indicative of whether the call represents unauthorized use of a communications network (col. 3 lines 51-64).

Response to Arguments

10. Applicant's arguments filed 02/09/04 have been fully considered but they are not persuasive. Applicant states that Bertacchi teaches prohibiting call transferring a call by analyzing a counter that is sent with or within the call and then prohibiting call transferring if the counter exceeds a present threshold, whereas in the present invention, a redirection counter within an initial address message is purposefully set to be a maximum allowed value and such initial address message is sent, then a message received in response to the initial address message with the purposefully set redirection counter is analyzed to determine if a call has been forwarded. However, the claims of the present invention, do not recite a purposefully set redirection counter. In claim 6, "sending a second initial address message having a redirection counter set to a second predetermined value, wherein the sending of the second message is performed if it is undetermined whether the call has been forwarded as a result of the analyzing step," is disclosed. Applicant states that this feature is not found in Bertacchi. Examiner respectfully disagrees with this argument. Bertacchi does teach the above limitations (col. 7 lines 26-40). Applicant further states that Bertacchi does not teach, "preventing the call from being completed," and "initiating fraud prevention activity." Examiner respectfully disagrees with this argument. Bertacchi does teach, "preventing the call from being completed," and "initiating fraud prevention activity" (col. 2-3 lines 62-3).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

12. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

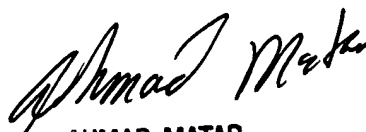
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin
April 29, 2004



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600